

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**HUNTINGTON DIVISION**

OHIO VALLEY ENVIRONMENTAL  
COALITION, et al.,

Plaintiffs,

v.

CIVIL ACTION NO. 3:05-0784

UNITED STATES ARMY CORPS  
OF ENGINEERS, et al.,

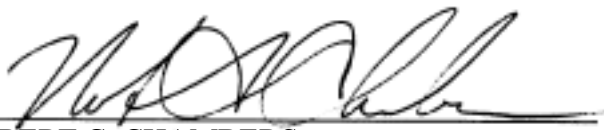
Defendants.

**ORDER**

Pending before the Court is Plaintiffs' Motion for Temporary Restraining Order [Docket #252]. During a hearing held on February 1, 2007, Plaintiffs agreed to withdraw their motion pursuant to an agreement reached with opposing counsel. Defendant-Intervenors provided a map of the permitted mining area and delineated for the record the portion to which Defendants have agreed temporarily to limit their activities. In addition, Defendant-Intervenors agreed to provide twenty days notice before proceeding outside of this specified area. Accordingly, Plaintiffs' motion is **DENIED AS MOOT** without prejudice.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented parties.

ENTER: February 1, 2007

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', is written over a horizontal line.

ROBERT C. CHAMBERS  
UNITED STATES DISTRICT JUDGE